

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE, AT KNOXVILLE**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>V.</b>	)	<b>NO. 3:10-CR-73</b>
	)	<b>VARLAN / GUYTON</b>
<b>DARREN HUFF</b>	)	
	)	
<b>Defendant.</b>	)	

**MOTION TO CONTINUE TRIAL**

Comes the Defendant, by and through counsel, and moves the Court pursuant to 18 U.S.C. 3161(h)(8)(B) to continue the trial of this matter set for April 12, 2011. In support of the motion, the defendant would show the following:

1. Despite reasonable diligence on the part of counsel, the case is not yet ready for hearing. The United States Magistrate Judge assigned to the case has entered a Report and Recommendation regarding several of Defendant's pending motions, and Defendant's counsel requires additional time to file objections to that Report and to further litigate a variety of motions which remain pending before the District Court. Counsel for the Defendant believes a resolution to all pending motions, several of which would dispose of the case pre-trial if granted, is necessary. 18 U.S.C. § 3161 (h)(1)(D). Further, counsel for Defendant continues to prepare for trial. For these reasons, defendant requests that the trial be continued.

2. Granting a continuance in this case will serve the ends of justice in that the need for additional time to properly prepare the case outweighs the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(B)

3. The right to a speedy trial has been fully explained to the defendant, who is not

detained pending trial, and he understands that the period of time between the filing of this motion for continuance and a rescheduled trial date shall be fully excludable for speedy trial purposes.

4. Counsel for Mr. Huff has discussed this motion with counsel for the government and has been informed that the government does not oppose the relief requested in this motion.

5. Counsel for Mr. Huff requests that Mr. Huff's presence not be necessary at the Pre-trial conference in this case currently set for April 1, 2011 at 11:00 A.M.

Respectfully submitted this 25<sup>th</sup> day of March, 2011.

FEDERAL DEFENDER SERVICES  
OF EASTERN TENNESSEE, INC.

s/ Jonathan A. Moffatt  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on March 25, 2011, a copy of the foregoing Motion to Continue Trial was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

s/ Jonathan A. Moffatt  
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Jonathan A. Moffatt